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**NEW YORK STATE OFFICE OF THE
INSPECTOR GENERAL**
**In The Matter of the Investigation
of the Clinton Correctional
Facility**
Sworn Interview of Ronald Blair
July 7, 2015

1 [START RECORDING]

2 [REDACTED] [REDACTED] [REDACTED]: It is July 7th, 2015,
3 and we are in a conference room on the second
4 floor at the Comfort Inn Hotel on Route 3 in - -
5 New York. In the room, we have myself, [REDACTED]
6 [REDACTED], an investigator with the State
7 Inspector General's Office.

8 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
9 [REDACTED] Investigative Counsel.

10 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED], Deputy
11 Inspector General.

12 MALE VOICE: - - .

13 [REDACTED] [REDACTED] And, Mr. Blair, thank you
14 for coming in today. The New York State
15 Inspector General's office is conducting this
16 investigation pursuant to its authority under
17 Article 4(a) of the Executive Law. Is the
18 person accompanying here today, an attorney
19 representing you in connection with this
20 proceeding?

21 MR. RONALD BLAIR: - - .

22 [REDACTED] [REDACTED] Okay. Sir, could you just
23 identify yourself--

24 MR. WILLIAM GOLDERMAN, ESQ.: [Interposing]
25 Yes, Bill Golderman, Sheehan, Greene, Golderman

1 & Jacques.

2 [REDACTED] Okay. And there are
3 certain instructions that I'm going to present
4 to all witnesses, so I will do that now. Your
5 testimony today is being recorded - - and please
6 try to speak clearly and slowly, and let us
7 finish our questions before you give an answer.
8 And please give verbal responses. You have to
9 say, yes or no, rather than nodding or shaking
10 your head.

11 MR. BLAIR: Yes - - .

12 [REDACTED] The Inspector General is
13 compelling you to answer her questions today.
14 If you do not answer the Inspector General's
15 questions, there could be negative consequences
16 for you, including the termination of your state
17 employment.

18 However, your compelled statements cannot be
19 used against you in any subsequent criminal
20 proceedings, in according with your Fifth
21 Amendment right to be free from self-
22 incrimination in - - versus New Jersey.

23 In a moment, you will be sworn in and you
24 will be required to take an oath to testify
25 truthfully. After you take an oath to tell you

1 the truth, if you intentionally make - - false
2 or misleading statement, you may be prosecuted
3 for perjury. Do you understand what I've just
4 said?

5 MR. BLAIR: Yes.

6 [REDACTED] Okay. Do you have any
7 questions about that?

8 MR. BLAIR: No, ma'am.

9 [REDACTED] Okay. If a question calls
10 for an answer that would tend to incriminate
11 you, you have the right to assert your Fifth
12 Amendment privilege and not answer the question.
13 Do you understand that?

14 MR. BLAIR: Yes.

15 [REDACTED] Okay. Do you have any
16 questions?

17 MR. BLAIR: No.

18 [REDACTED] Okay. Is there anything
19 that could interfere with your ability to
20 testify today?

21 MR. BLAIR: No, ma'am.

22 [REDACTED] Okay. Sir, raise your
23 right hand. Do you swear or affirm that the
24 testimony you're about to give will be the
25 truth, the whole truth, and nothing but the

1 truth?

2 MR. BLAIR: Yes, ma'am.

3 [REDACTED] Okay. So now that you have
4 taken an oath, do you have any condition or are
5 you taking any medication that would affect your
6 ability to understand our questions and answer
7 them?

8 MR. BLAIR: [REDACTED]
9 [REDACTED]
10 [REDACTED]

11 MALE VOICE: - - proceed with - - .

12 [REDACTED] Okay.

13 MR. GOLDBERMAN: Okay. - - before we go on
14 the record, we'd just request a copy of the
15 transcript, whatever comes of this interrogation
16 - - and the conclusion of this
17 interview/interrogation.

18 MALE VOICE: - - .

19 MALE VOICE 1: - - .

20 [REDACTED] - - background information for
21 the record, your date of birth?

22 MR. BLAIR: [REDACTED].

23 [REDACTED] And your address?

24 MR. BLAIR: [REDACTED].

25 [REDACTED] Could you spell that,

1 please?

2 MR. BLAIR: - - ?

3 [REDACTED] Yes.

4 MR. BLAIR: [REDACTED].

5 [REDACTED] Okay.

6 MR. BLAIR: - - [REDACTED].

7 [REDACTED] And a contact number?

8 MR. BLAIR: That'd be my home phone, [REDACTED]

9 [REDACTED], I believe. And my cell is [REDACTED].

10 [REDACTED] And the - - . And a little
11 bit of background about you. About how long
12 have you worked for New York State?

13 MR. BLAIR: - - two years.

14 [REDACTED] And long with Clinton?

15 MR. BLAIR: - - .

16 [REDACTED] And - - 29 years at - - .

17 MR. BLAIR: At that time, in Watertown
18 Correctional, and I started at - - .

19 [REDACTED] - - your first - - brief
20 period then.

21 MR. BLAIR: About 15 months.

22 [REDACTED] And so have you - - at the
23 time?

24 MR. BLAIR: No, just - - .

25 [REDACTED] Some of your duties as a

1 correctional officer, would that include - - ?

2 MR. BLAIR: Yes.

3 [REDACTED] And so - - you've recently
4 been assigned to the midnight shift - - .
5 When's the last time - - ?

6 MR. BLAIR: I had - - . I'm not sure when.
7 I would say maybe six months ago - - .

8 [REDACTED] And do you know what company
9 it was?

10 MR. BLAIR: No, I don't - - .

11 [REDACTED] Sure. Sure. So roughly about
12 six months, and you're not certain - - . Can
13 you describe - - or what you got the position
14 here?

15 MR. BLAIR: When I - - .

16 [REDACTED] Sure.

17 MR. BLAIR: - - the company - - . I used to
18 start with - - then I started taking things out
19 from underneath the bed and placed things on top
20 of the bed - - 20 years ago, but now - - .

21 [REDACTED] Okay.

22 MR. BLAIR: - - take that and - - make a
23 stack on top of - - searched around the top - -
24 - door casings - - lockers.

25 [REDACTED] Uh-huh. - - the bars - - bar

1 - - searched - - the bars touched at all or--

2 MR. BLAIR: [Interposing] Actually, no, I've
3 never done that.

4 [REDACTED] [REDACTED] - - the cell walls - - be
5 touched at all?

6 MR. BLAIR: I've never done that either.
7 I've never really - - on them or--

8 [REDACTED] [REDACTED] [Interposing] Sure. You said,
9 sometimes, there's another C.O. present - - .

10 MR. BLAIR: If you're lucky enough, yeah.
11 If you're lucky enough, sometimes - - if there's
12 an extra guy - - usually - - standby - - .

13 [REDACTED] [REDACTED] Sure.

14 MR. BLAIR: - - what's going on.

15 [REDACTED] [REDACTED] I understand, yeah. Did you
16 find anything on that particular occasion--

17 MR. BLAIR: [Interposing] No--

18 [REDACTED] [REDACTED] - - .

19 MR. BLAIR: No.

20 [REDACTED] [REDACTED] Have you ever found
21 contraband?

22 MR. BLAIR: Yes.

23 [REDACTED] [REDACTED] During cell - - .

24 MR. BLAIR: I've found weapons.

25 [REDACTED] [REDACTED] How often would you say you've

1 done - - over, say, the last five years?

2 MR. BLAIR: - - .

3 [REDACTED] So it would be like - -

4 occasions or - - .

5 MR. BLAIR: Yeah - - lockdown - - .

6 [REDACTED] How long have you been - - ?

7 MR. BLAIR: - - about 13 years.

8 [REDACTED] - - .

9 MR. BLAIR: No.

10 [REDACTED] - - .

11 MR. BLAIR: - - .

12 [REDACTED] And so can you--all of them,

13 A, B, C?

14 MR. BLAIR: Yeah - - here and there, I've -

15 - the years.

16 [REDACTED] Okay. And - - not always--

17 MR. BLAIR: [Interposing] No, I've been - -

18 .

19 [REDACTED] Okay.

20 MR. BLAIR: I've worked with - - on days,

21 mostly afternoon.

22 [REDACTED] Okay. So when did - - when

23 did you move to A?

24 MR. BLAIR: About 12 years ago.

25 [REDACTED] And that - - midnight shift?

1 MR. BLAIR: Yes.

2 [REDACTED] Okay. Have you ever had the
3 occasion to do a - - exchange, cell inspection,
4 catwalk inspection--

5 MR. BLAIR: [Interposing] - - .

6 [REDACTED] No, at anytime?

7 MR. BLAIR: Yes, sir, I have, last year. I
8 haven't done any this year.

9 [REDACTED] And last year, it wouldn't be
10 during the midnight shift. So were you doing--
11 were you assigned to something else last year,
12 to do that kind of exchange?

13 MR. BLAIR: It was - - and it was - - it was
14 my understanding that it was just a - - and
15 exchange I.D.'s.

16 [REDACTED] And you exchanged the
17 razorblade too, and--

18 MR. BLAIR: [Interposing] Yes.

19 [REDACTED] - - the new one? And so - -
20 two other areas on it too, which - - cell
21 inspection--

22 MR. BLAIR: Yeah, and - - I thought it was
23 just - - I thought it was just a razor - - and I
24 had never read it, and - - never did it.

25 [REDACTED] Okay. So at that time, do you

1 recall signing each of the three areas on that
2 form?

3 MR. BLAIR: Yes.

4 [REDACTED] And you have no recollection
5 of doing the actual cell inspection or a catwalk
6 inspection at the time--

7 MR. BLAIR: [Interposing] No.

8 [REDACTED] Okay. Do you know if that's
9 common--

10 MR. BLAIR: - - cell inspection, you can't
11 go into the cell without - - so you might - -
12 inspection - - by with a razor exchange - - .

13 [REDACTED] Did you conduct a cell
14 investigation, as it said on the form, on the
15 date of exchange?

16 MR. BLAIR: No, on that form, no, the only
17 thing I inspected - - look at the cell - -
18 that's about it. It's mostly to see if the - -
19 is where it's supposed to be, the bed is where
20 it's supposed to be, because every block has a
21 standard cell - - .

22 [REDACTED] Uh-huh. So when you filled
23 out the form, and we're talking about on this
24 occasion, when you did the razor exchange, you
25 did conduct some type of visual inspection of

1 the cell at the time?

2 MR. BLAIR: Yes - - always do - - .

3 [REDACTED] And - - catwalk?

4 MR. BLAIR: No, I never even looked at the
5 catwalk.

6 [REDACTED] Okay. You never watched the
7 door or anything?

8 MR. BLAIR: No.

9 [REDACTED] Okay. Did you sign the
10 section of the form that - - ?

11 MR. BLAIR: Yes, sir, I did.

12 [REDACTED] Do you know if - - in the
13 razor exchange, cell inspection, catwalk
14 inspection form? Any training - - ?

15 MR. BLAIR: No - - . It was a relatively
16 new thing for me. I didn't even know they did
17 it, at the time. They gave me the papers and
18 just the razor, itself - - I.D. check.

19 [REDACTED] Okay.

20 MR. BLAIR: Yeah, that's all I thought it
21 was - - came out. Now - - all of this coming
22 out, I actually - - the block. I - - and I
23 said, oh, my God.

24 [REDACTED] Okay. And how long ago was
25 that, roughly? Do you--

1 MR. BLAIR: [Interposing] Last year, last
2 summer.

3 [REDACTED] Last summer. And what block
4 was that again?

5 MR. BLAIR: I--

6 [REDACTED] [Interposing] You don't know,
7 okay. Had you received any training on the form
8 though? Had a supervisor ever - - the form and
9 said, this is how you do it?

10 MR. BLAIR: No, no.

11 [REDACTED] Do you know--have you observed
12 others use razor exchange, cell inspection,
13 catwalk inspection--

14 MR. BLAIR: [Interposing] I have, you know -
15 - part of that, yeah, but I have seen them go
16 down and check things.

17 [REDACTED] Okay. So that typically
18 happens on a weekend, is that correct?

19 MR. BLAIR: Yes - - the razor exchange. One
20 day, you're - - the next day, you have - - .

21 [REDACTED] And so inspection of the
22 catwalks, let's talk about the catwalks. Do you
23 know when the catwalks are open or when there's
24 a key available - - ?

25 MR. BLAIR: So it's my understanding that

1 they had the key on days and afternoons. We
2 never had it on midnights. We did at one time,
3 but they took them away. And then I think
4 somebody told me that they don't even have them
5 on the afternoons anymore. I never - - I
6 couldn't tell you. When I worked afternoons,
7 they had them. It was a long time ago.

8 [REDACTED] So about how long ago was
9 that?

10 MR. BLAIR: Thirteen, fourteen years.

11 [REDACTED] And you said at one point,
12 they had--did you say that at one point, they
13 had it during the nightshift also - - ?

14 MR. BLAIR: No, that's not what I said.

15 [REDACTED] - - not - - okay.

16 MR. BLAIR: I don't ever remember - - .

17 [REDACTED] Okay. Just during the dates--
18 just during the afternoon shift for a while--

19 MR. BLAIR: [Interposing] I remember them
20 being on afternoons, when I worked afternoons.

21 [REDACTED] Okay. Was there ever an
22 occasion where you had to call the arsenal to
23 get the key?

24 MR. BLAIR: Yes.

25 [REDACTED] Okay. Can you describe that?

1 MR. BLAIR: - - broken pipe, and I got the
2 key to go down there and shut the water off, so
3 things won't flood out - - .

4 ██████████ Because they - - grounds
5 person - - .

6 MR. BLAIR: - - .

7 ██████████ --bring the key over?

8 MR. BLAIR: Yes.

9 ██████████ And - - had the key. There's
10 a double door in the A Block?

11 MR. BLAIR: We have the key to the solid
12 door outside.

13 ██████████ Yes.

14 MR. BLAIR: And - - inside the storage
15 facility, we have a bathroom.

16 ██████████ Right.

17 MR. BLAIR: And - - and that key only--they
18 bring us - - the gate.

19 ██████████ Okay. - - outer door - - the
20 outer door.

21 MR. BLAIR: - - the block.

22 ██████████ Yes, in the block - - the
23 bathroom, you can get - - .

24 MR. BLAIR: Yeah, we kind of keep those - -
25 in the block, that if they're open - - .

1 ██████████ Okay. And how many - - did
2 you say you needed, to get that key for the
3 catwalk? Just roughly.

4 MR. BLAIR: Oh, my God, I could probably
5 count on one hand. It's very rare.

6 ██████████ Very rare. And so what did
7 you--did you solve the problem or - - guys who
8 solved the problem? - - leaking pipe.

9 MR. BLAIR: - - pipe that burst.

10 ██████████ Yeah.

11 MR. BLAIR: - - valve that shuts off - -
12 work order - - tell the dayshift - - .

13 ██████████ Okay. And then you--the key
14 goes back to the arsenal?

15 MR. BLAIR: Yes - - back there.

16 ██████████ Did - - the outer door, the
17 heavier door--

18 MR. BLAIR: [Interposing] - - .

19 ██████████ --is shut because - - or
20 something, that the--it's not - - you have a key
21 - - .

22 MR. BLAIR: Yes.

23 ██████████ - - the inner door, no key - -
24 .

25 MR. BLAIR: - - our catwalks are - - back of

1 the company, it's a solid door. You've got--
2 in the front of the company, it's a solid door.
3 In-between, you've got the storage area. As far
4 as the - - not locked at all times. We don't
5 have the key to the back - - just - - front
6 door.

7 [REDACTED] [REDACTED] In your time on A Block, when
8 you worked the nightshift, and I know it's
9 probably not - - but did you ever see anyone on
10 the catwalk?

11 MR. BLAIR: No. At night?

12 [REDACTED] [REDACTED] Yes.

13 MR. BLAIR: No, I would have reported that.
14 [Laughter].

15 [REDACTED] [REDACTED] During the rare times that you
16 were doing overtime on A Block - - did you see -
17 - on the catwalk?

18 MR. BLAIR: Yes - - the dayshift, you've got
19 maintenance crews - - tower, and they're usually
20 escorted down.

21 [REDACTED] [REDACTED] Uh-huh.

22 MR. BLAIR: We also have a catwalk - - an
23 inmate goes up and down the catwalk - - .

24 [REDACTED] [REDACTED] And can you - - civilian - -
25 escort - - ?

1 MR. BLAIR: Yeah, they could escort them
2 all over the place.

3 [REDACTED] Without a C.O. - - ?

4 MR. BLAIR: Yeah.

5 [REDACTED] Okay. After they do their - -
6 and they--from your observations, did the
7 civilian - - ?

8 MR. BLAIR: From what I seen, yeah.

9 [REDACTED] So why don't we start getting
10 into the day - - on June - - the date prior to -
11 - . So what I'm going to show you now is--it
12 will be marked Exhibit 1 - - and this is a - -
13 this is a section of the logbook, A Block, log -
14 - 4, 15 - - . Do you recognize that form?

15 MR. BLAIR: - - .

16 [REDACTED] Does that look like a reprint
17 of the A Block logbook - - logbook?

18 MR. BLAIR: It could be, yes.

19 [REDACTED] Do you recognize the stamps
20 and the writing on the first line - - ?

21 MR. BLAIR: - - .

22 [REDACTED] The first officer--

23 MR. BLAIR: [Interposing] Yes.

24 [REDACTED] The first officer, is that--is
25 it your handwriting?

1 MR. BLAIR: Yes.

2 [REDACTED] Okay. And so this is - - 4,
3 15, 11:00 to 7:00, and that's the shift, is that
4 correct?

5 MR. BLAIR: Uh-huh.

6 [REDACTED] And we have an area--what does
7 that say, supervisor or - - ? Do you know what
8 that--

9 MR. BLAIR: [Interposing] Supervisor.

10 [REDACTED] And do you - - ?

11 MR. BLAIR: It says, area supervisor.

12 [REDACTED] Area supervisor. And do you
13 know who that might be?

14 MR. BLAIR: That's the sergeant at night - -
15 sergeant - - remember his name - - .

16 [REDACTED] Do you know who it is now? -
17 - ?

18 MR. BLAIR: - - .

19 [REDACTED] Okay. And then it says,
20 Lieutenant.

21 MR. BLAIR: Lieutenant - - .

22 [REDACTED] - - .

23 MR. BLAIR: I can't even read my own
24 handwriting - - .

25 [REDACTED] And is Lieutenant - - somebody

1 you know?

2 MR. BLAIR: Yeah, he's our watch commander.

3 [REDACTED] Watch commander. And I see -

4 - right around - - 11:00.

5 MR. BLAIR: That's - - .

6 [REDACTED] That's - - . And at 12:25,

7 there's a - - signature.

8 MR. BLAIR: Supervisor - - .

9 [REDACTED] So was that this signature?

10 Is this - - ?

11 MR. BLAIR: That appears to be a signature.

12 I couldn't tell you - - .

13 [REDACTED] Who's present on A Block, on

14 the nightshift, other than the first - - the

15 second - - ?

16 MR. BLAIR: That's it.

17 [REDACTED] That's it. So this would be--

18 who else would be signing the logbook at 12:25 -

19 - ?

20 MR. BLAIR: - - .

21 [REDACTED] Okay.

22 MR. BLAIR: - - .

23 [REDACTED] Is this your handwriting - - ?

24 MR. BLAIR: It appears to be, yes.

25 [REDACTED] And is this your handwriting?

1 MR. BLAIR: No.

2 [REDACTED] [REDACTED] And so present--do you know
3 who the second man is on this - - ?

4 MR. BLAIR: - - .

5 [REDACTED] [REDACTED] - - .

6 MR. BLAIR: I wasn't sure who it was going
7 to be.

8 [REDACTED] [REDACTED] Would the assumption be that
9 this signature is the second - - ?

10 MR. BLAIR: No, that's a supervisor - -
11 second man - - .

12 [REDACTED] [REDACTED] Okay. So a supervisor stops
13 by to do another round? What - - ?

14 MR. BLAIR: It's - - the supervisor - - they
15 don't come to - - .

16 [REDACTED] [REDACTED] Okay.

17 MR. BLAIR: - - pass the logbook out - - the
18 book. He takes the counts. He signs the book.
19 He asks if everything is going okay - - .

20 [REDACTED] [REDACTED] So this is the supervisor that
21 night - - the book and - - watchman?

22 MR. BLAIR: - - sometimes, it's the watch
23 commander.

24 [REDACTED] [REDACTED] Okay.

25 MR. BLAIR: Sometimes, it's the sergeant.

1 [REDACTED] [REDACTED] Okay.

2 MR. BLAIR: It depends on who comes out.
3 It's not the - - .

4 [REDACTED] [REDACTED] Okay. - - I got it, okay.

5 MR. BLAIR: And - - .

6 [REDACTED] [REDACTED] So - - 11:00 - - .

7 MR. BLAIR: Yes.

8 [REDACTED] [REDACTED] So 11:00 p.m., it says - - and
9 then 12:00--are all these rounds conducted - -
10 different - - ?

11 MR. BLAIR: We - - me and the - - .

12 [REDACTED] [REDACTED] Okay. And so - - .

13 MR. BLAIR: I usually do the 12:00 - - .

14 [REDACTED] [REDACTED] Okay.

15 MR. BLAIR: The second man does the 1:00,
16 3:00, and 5:00.

17 [REDACTED] [REDACTED] And can you describe a typical
18 round? How do you conduct rounds?

19 MR. BLAIR: - - go down--which one do you
20 want to know about? - - .

21 [REDACTED] [REDACTED] Okay.

22 MR. BLAIR: There's one at the beginning of
23 the night - - and the rest of the night - - .

24 [REDACTED] [REDACTED] Okay. So the first one is the
25 - - ?

1 MR. BLAIR: The first one, the 11 o'clock,
2 everybody gets woke up - - go down, and I pass -
3 - go down - - one, two, three. And then we'll
4 go over, six, five, four. And that's it - - and
5 the rest of the night - - four, five, three, and
6 - - .

7 [REDACTED] [REDACTED] Now, the - - is it medical - -
8 ?

9 MR. BLAIR: For medical, school - - programs
10 or - - .

11 [REDACTED] [REDACTED] And they're out--those
12 individuals or those inmates are out at that
13 moment, or they're - - ?

14 MR. BLAIR: They go out - - they go out in
15 the - - .

16 [REDACTED] [REDACTED] Okay. So you do the - - and
17 you do the rounds, and there's a master count -
18 - 11:00 or 11:00--did you say, 11 o'clock?

19 MR. BLAIR: It's not really a master count.
20 The counts don't - - counts don't start until
21 12:00, but we make the round at 11:00.

22 [REDACTED] [REDACTED] Okay.

23 MR. BLAIR: - - .

24 [REDACTED] [REDACTED] Okay.

25 MR. BLAIR: - - they're all just - - so, I

1 mean, everybody's in their cells and - - .

2 [REDACTED] Okay.

3 MR. BLAIR: - - .

4 [REDACTED] Okay. The subsequent rounds
5 that you do - - the 12:00, 2:00, 4:00, the--
6 describe how you do - - . What do you do?

7 MR. BLAIR: I'll start off - - inmate, 12:00
8 - - back on four.

9 [REDACTED] So one is the - - ?

10 MR. BLAIR: - - one and four are the - - .

11 [REDACTED] Yeah.

12 MR. BLAIR: Then I go - - back on five. And
13 then I'll go on three and - - go down three,
14 back on six.

15 [REDACTED] And so what do you do when you
16 pass by each cell? What exactly - - ?

17 MR. BLAIR: I try to make sure there's a - -
18 body in every cell - - . I'm checking for
19 suicides - - make sure everything looks okay.

20 [REDACTED] And do you use a flashlight or
21 do--

22 MR. BLAIR: [Interposing] - - .

23 [REDACTED] Do you typically have to shine
24 the flashlight on the individual, or - - you
25 just notice them as you go by, and see that

1 they're alive - - and breathing?

2 MR. BLAIR: Well - - they're all covered up
3 - - move on to the next one.

4 [REDACTED] And when you see an individual
5 or an inmate that could be asleep, but is not
6 moving, what would you do next?

7 MR. BLAIR: - - I'd wake them up.

8 [REDACTED] When you are done with your
9 rounds, what do you do next?

10 MR. BLAIR: I go back to the office. I log
11 it in.

12 [REDACTED] You log it in, in what?

13 MR. BLAIR: The logbook.

14 [REDACTED] The logbook. And can you - -
15 ?

16 MR. BLAIR: - - .

17 [REDACTED] Okay. So now you're doing the
18 12:00, the 2:00, the 4:00.

19 MR. BLAIR: Yes.

20 [REDACTED] Now, but do you sign it off on
21 the 1 o'clock?

22 MR. BLAIR: Yes.

23 [REDACTED] That - - another individual.

24 MR. BLAIR: The second man.

25 [REDACTED] The second man. You'll sign

1 the logbook. You're doing all the paperwork -
2 - .

3 MR. BLAIR: Yes.

4 [REDACTED] Okay. Is there anything else
5 that follows - - the logbook, while you're doing
6 your rounds?

7 MR. BLAIR: Is there anything, what?

8 [REDACTED] Is there anything else that
9 has to be recorded - - record the rounds - -
10 other than the logbook?

11 MR. BLAIR: No, I just--at that moment, I
12 just--unless something happens, I just record
13 the rounds.

14 [REDACTED] Okay. Is there a count sheet
15 that follows with it, that--

16 MR. BLAIR: [Interposing] Yes.

17 [REDACTED] And so can you describe that?
18 What - - ?

19 MR. BLAIR: The count sheet, we fill out for
20 every hour, 12:00, 1:00 - - 5:30. When the
21 supervisor comes around, he'll take the 12:00,
22 1:00, 2:00, and 3:00 counts - - .

23 [REDACTED] Okay. The supervisor?

24 MR. BLAIR: Yes.

25 [REDACTED] So he's stopping at 12:25, and

1 he's taking each - - ?

2 MR. BLAIR: All the way to 3 o'clock.

3 [REDACTED] I'm lost. So--

4 MR. BLAIR: [Interposing] Yeah - - .

5 [REDACTED] - - .

6 MR. BLAIR: Huh?

7 [REDACTED] The counts had not been
8 performed yet--

9 MR. BLAIR: [Interposing] No, no, they have
10 - - the counts - - they - - . Nobody comes
11 around every hour and just, you know.

12 [REDACTED] No, no, I understand, but I--
13 this supervisor - - around 12:25. What is he
14 retrieving?

15 MR. BLAIR: He's checking on - - and he's -
16 - those counts.

17 [REDACTED] So he's retrieving--the only -
18 - the 11:00 and the 12:00 - - right?

19 MR. BLAIR: - - they've always collected - -
20 that time and - - . It doesn't change - - .

21 [REDACTED] Okay. I think it was just - -
22 understanding. - - .

23 MALE VOICE: Okay. - - .

24 [REDACTED] So - - trying to understand
25 how the count - - .

1 MR. BLAIR: He does not come out at the
2 standard time - - the time. They all vary in
3 times, when they come out.

4 [REDACTED] Okay.

5 MR. BLAIR: But the standard practice is the
6 3 o'clock count - - at that time.

7 [REDACTED] Okay.

8 MR. BLAIR: - - .

9 [REDACTED] - - if he came out at 12:25, I
10 think that says.

11 MR. BLAIR: Uh-huh.

12 [REDACTED] What counts did he pick up?

13 MR. BLAIR: The three o'clock - - picked
14 them up.

15 [REDACTED] Oh - - the only - - formed at
16 that time would be the 11:00 and the 12:00. Is
17 that correct?

18 MR. BLAIR: Yes.

19 [REDACTED] So the 1:00, the 2:00, and the
20 3:00, how is he picking them up, when they
21 haven't been done yet?

22 MR. BLAIR: - - counts have changed.

23 [REDACTED] Okay. Who's they?

24 MR. BLAIR: The - - .

25 [REDACTED] The - - and the - - is a part

1 of the watch commander?

2 MR. BLAIR: Yes - - .

3 [REDACTED] Okay. So the practice has
4 been for when--the supervisor comes around an
5 hour after midnight. And I assume, that's after
6 midnight, he'd come around?

7 MR. BLAIR: Yeah.

8 [REDACTED] And before--they usually come
9 around before 3:00, is that correct?

10 MR. BLAIR: - - sometimes, it could be
11 later.

12 [REDACTED] Okay. So whenever the
13 supervisor comes around, during the midnight
14 shift, your practice has been to hand all of the
15 count slips, all the way through until 3:00 in
16 the morning.

17 MR. BLAIR: Yes.

18 [REDACTED] Regardless, if those counts
19 have been done.

20 MR. BLAIR: Yes, that is - - .

21 [REDACTED] Okay. Well, that was my next
22 question.

23 MR. BLAIR: - - .

24 [REDACTED] Right, but that is--

25 MR. BLAIR: - - .

1 [REDACTED] - - so that is your
2 practice. That's what you've done.

3 MR. BLAIR: Yes.

4 [REDACTED] And have others also done
5 that?

6 MR. BLAIR: I believe so. I can't - -
7 that's usually how it's done.

8 [REDACTED] Have you--and so on occasion,
9 you have observed others doing the same thing.

10 MR. BLAIR: Yes.

11 [REDACTED] Can you tell me who those
12 others are?

13 MR. BLAIR: Not offhand, no.

14 [REDACTED] Others--

15 MR. GOLDBERMAN: [Interposing] - - that
16 supervisor - - he's collecting it and bringing
17 it to the front desk, so - - so he would - - .

18 [REDACTED] Well, I'm just asking his
19 observation - - I mean, I know it's - - your
20 practice, but I want to know if it's other's
21 practice and if you've seen others doing this.

22 MR. BLAIR: I've worked - - . I've worked
23 the count desk.

24 [REDACTED] What's the count desk?

25 MR. BLAIR: - - .

1 [REDACTED] [REDACTED] So when you've worked at the
2 count desk, you've seen count sheets, prior to
3 the time that they actually were completed--
4 before they were completed--no, strike that.
5 Let me say that again. You work at the count
6 desk, and you have seen - - count sheets for
7 times that have not been counted, say, 3:00 in
8 the morning - - .

9 MR. BLAIR: That's the practice, yes.

10 [REDACTED] [REDACTED] And how often have you worked
11 at the count desk?

12 MR. BLAIR: Not very often - - when I first
13 came - - . I've done it a couple of times, not
14 very often.

15 [REDACTED] [REDACTED] Okay. When you're at the
16 count desk, you have seen this same practice
17 happen.

18 MR. BLAIR: Uh-huh.

19 [REDACTED] [REDACTED] You've seen it - - count
20 sheets. But when you're in the box, have you
21 seen other C.O.'s also submit their count sheets
22 before the time that they actually perform the
23 count.

24 MR. BLAIR: Yeah.

25 [REDACTED] [REDACTED] And so what is written on

1 these count sheets? How do you know what to
2 write?

3 MR. BLAIR: We have - - we make our count
4 and make sure our - - is right. We go off that
5 count - - changed on the - - we call - - and
6 change the counts--we'll exchange the count - -
7 the count book if our count changes.

8 ██████████ Okay. So if you're working A
9 Block and there's--and I'm just making that up -
10 - 30 guys on each company, going up and down.
11 If you got 180 total, on the whole block, and no
12 one's awake for medical or - - or anything like
13 that, the practice has been - - practice that
14 you have done would be to write, 30, 30, 30, 30,
15 30, 30 - - .

16 MR. BLAIR: - - .

17 ██████████ And when do you write that on
18 the slip, at what point in the night?

19 MR. BLAIR: At the beginning of the night.

20 ██████████ So when you first start your
21 shift.

22 MR. BLAIR: Uh-huh.

23 ██████████ So when you first start your
24 shift, you take the count books and you fill
25 them all out?

1 MR. BLAIR: Yes.

2 [REDACTED] And that would be for 11:00,
3 12:00, 1:00, 2:00, 3:00, 4:00. Do you do 5
4 o'clock, also?

5 MR. BLAIR: There's a 5 o'clock and there's
6 a 5:30.

7 [REDACTED] Okay. 5:30 to - - .

8 MR. BLAIR: Yeah.

9 [REDACTED] And so you fill out the 5:30
10 count book also, at that point?

11 MR. BLAIR: Yes - - .

12 [REDACTED] Okay. So it's just the 3
13 o'clock - - .

14 MR. BLAIR: Uh-huh.

15 [REDACTED] So when you first get there,
16 you fill out all the count books, indicating
17 that all the inmates are present and in their
18 cells--

19 MR. BLAIR: [Interposing] Yes.

20 [REDACTED] And when the supervisor comes
21 around at some later period during the night,
22 you will hand off - - 3:00 a.m., to that
23 supervisor.

24 MR. BLAIR: Yes, sir.

25 [REDACTED] And so - - and does the

1 supervisor or any other rounds-men--do they
2 ever stop back again, for another--

3 MR. BLAIR: [Interposing] No.

4 [REDACTED] They don't.

5 MR. BLAIR: No, unless - - have a change,
6 and they've got to come back - - or something -
7 - .

8 [REDACTED] Okay. And so, I'm sorry, you
9 said--did you say that you observed others doing
10 this same practice?

11 MR. BLAIR: Yeah, if I've been second man in
12 other blocks, the - - will fill them out and - -
13 and they get handed - - .

14 [REDACTED] And do you know in what other
15 blocks this happened?

16 MR. BLAIR: - - .

17 [REDACTED] And for your--however many
18 years you've been in A Block, has this always
19 been the practice?

20 MR. BLAIR: Yes.

21 [REDACTED] Do you know if you were
22 trained - - they trained you to do it that way?

23 MR. BLAIR: - - the block - - you take - -
24 that's how they train - - . It's kind of hard
25 to explain - - .

1 [REDACTED] It would be--would it be
2 correct to say that the assumption is that these
3 guys are in a locked cell and they're going to
4 be there later on--

5 MR. BLAIR: [Interposing] I would - - .

6 [REDACTED] Okay.

7 MALE VOICE: - - formal training - - no - -

8 .

9 [REDACTED] Okay. Do you have any
10 questions further about that - - ?

11 [REDACTED] You understand our confusion as
12 to why - - the amount of inmates would be filled
13 out ahead of time, correct?

14 MR. BLAIR: Yes.

15 [REDACTED] We were under the impression
16 that at 1 o'clock, when you do the count - - 30
17 - - block - - 30 in the tier, you mark down 30.

18 MR. BLAIR: Uh-huh.

19 [REDACTED] And that that's done--at each
20 round, that's done. But just so we're clear - -
21 that that - - the counts, in advance, with the
22 amount of people there are - - .

23 MR. BLAIR: Yes, sir.

24 [REDACTED] And have there been occasions
25 where you had to call down to say, hey, we have

1 a change?

2 MR. BLAIR: Yes.

3 [REDACTED] In A Block?

4 MR. BLAIR: Yes.

5 [REDACTED] So how did that practice come--

6 how did - - ?

7 MR. BLAIR: - - picked up, and it'll go
8 upfront, you know, - - changes for that time.

9 [REDACTED] Does that original sheet, does
10 that - - sheet - - count - - that says - - .

11 MR. BLAIR: Uh-huh.

12 [REDACTED] And so when there's a change,
13 something happens, you create a new sheet?

14 MR. BLAIR: Yes.

15 [REDACTED] Okay. And you pre-fill that
16 entire thing out, with the ones changed or
17 whatever - - .

18 MR. BLAIR: - - pre filled out, the time - -
19 .

20 [REDACTED] - - .

21 MR. BLAIR: - - .

22 [REDACTED] Do you know both of those - -
23 are kept? Or is the original - - ?

24 MR. BLAIR: The one - - filled out.

25 [REDACTED] Okay. And when you worked at

1 the count desk, did that happen at times,
2 where you would--there would be a change and
3 you'd have to--

4 MR. BLAIR: [Interposing] I don't recall
5 doing it.

6 [REDACTED] Okay.

7 MR. BLAIR: It was a long time ago.

8 [REDACTED] So you don't--as you sit here
9 today, you don't remember working at the count
10 desk and having to destroy one of the original
11 sheets--

12 MR. BLAIR: [Interposing] No.

13 [REDACTED] - - .

14 MR. BLAIR: No.

15 [REDACTED] Is there ever an initial on it,
16 saying, amended count sheet?

17 MR. BLAIR: Not that I've ever done. Maybe
18 they're doing something now. I couldn't tell
19 you.

20 [REDACTED] Okay. And when you were at the
21 count desk, you don't remember anybody
22 initialing it, amended as of this time or?

23 MR. BLAIR: No, that's a long time ago.

24 [REDACTED] Okay.

25 [REDACTED] But with the sheets, the count

1 - - to happen, say, at the 3 o'clock count,
2 you're doing your rounds and one guy--something
3 has changed, you will contact the watch
4 commander, or do you--

5 MR. BLAIR: [Interposing] - - the count
6 desk.

7 [REDACTED] [REDACTED] You - - the count desk.

8 MR. BLAIR: - - .

9 [REDACTED] [REDACTED] Sitting next to the watch
10 commander.

11 MR. BLAIR: Yeah, he handles all of that.

12 [REDACTED] [REDACTED] And they update the master--

13 MR. BLAIR: [Interposing] - - is taken out -
14 - in the hospital, he'd be added onto the
15 hospital count and taken off my count.

16 [REDACTED] [REDACTED] And can you recall the last
17 time that it happened, where there's been a
18 change in a count during your shift?

19 MR. BLAIR: No. I can't even remember when
20 - - you know what I mean - - I can't even
21 remember when the last - - .

22 [REDACTED] [REDACTED] It's if they're going to court
23 or to the hospital.

24 MR. BLAIR: Yeah, if they're going to court,
25 the hospital, anything.

1 [REDACTED] Okay.

2 MR. BLAIR: - - most of the time - - .

3 [REDACTED] Okay. So now we have the - -
4 reproduction of the unit logbook for A Block - -
5 and this is for--it says, 6/6/15, shift, 11:00
6 to 7:00. Now, does this look like an accurate
7 reproduction of the unit logbook for A Block?

8 MR. BLAIR: - - .

9 [REDACTED] This one is dated 6/6/15,
10 11:00 to 7:00, shift. Is there something that--
11 that's when the shift ends on 6/6/15 - - to
12 6/5/15. Would this be the Friday-to-Saturday
13 shift?

14 MR. BLAIR: Yes.

15 [REDACTED] Yes. And so 11:00 to 7:00 is
16 11:00 p.m. to 7:00 a.m.

17 MR. BLAIR: Yes, sir.

18 [REDACTED] And again, looking at who's on
19 duty - - A Block. The first officer on duty is?

20 MR. BLAIR: Me.

21 [REDACTED] And is this your handwriting?

22 MR. BLAIR: Yes.

23 [REDACTED] And the second officer on duty
24 is?

25 MR. BLAIR: - - .

1 [REDACTED] What is his first name?

2 MR. BLAIR: - - .

3 [REDACTED] Okay. And in fact, he was the
4 second officer on duty that day?

5 MR. BLAIR: Uh-huh.

6 [REDACTED] And the area supervisor - -
7 and the watch commander is Lieutenant--

8 MR. BLAIR: [Interposing] [REDACTED] [REDACTED]
9 [phonetic].

10 [REDACTED] [REDACTED] [REDACTED] [REDACTED]. And let's go
11 down. We have the same thing now. We have - -
12 11:45, is that [REDACTED] [REDACTED]?

13 MR. BLAIR: I believe so.

14 [REDACTED] And there's Lieutenant
15 [REDACTED] first name, [REDACTED] - - .

16 MR. BLAIR: Yes.

17 [REDACTED] Okay. And then you have a--
18 what does that say, 12:00, 1:00, 2:00, 3:00,
19 4:00?

20 MR. BLAIR: - - .

21 [REDACTED] - - that number?

22 MR. BLAIR: This all happened after I made -
23 - .

24 [REDACTED] I understand.

25 MR. BLAIR: I might have handed - - I was in

1 the middle of - - . I put that in there.

2 [REDACTED] Okay.

3 MR. BLAIR: After - - I had people coming in
4 and signing the book at different times, and--

5 [REDACTED] [Interposing] Okay. Let's
6 just--let's look--

7 [REDACTED] [Interposing] - - .

8 MR. BLAIR: Yes.

9 [REDACTED] Okay. Can you just read
10 aloud, Mr. Blair, what you were pointing to,
11 when you said you weren't sure when you wrote
12 that down?

13 MR. BLAIR: - - .

14 [REDACTED] Okay.

15 [REDACTED] Going back - - so we see an 11
16 o'clock round.

17 MR. BLAIR: Uh-huh.

18 [REDACTED] And you said you do the 12:00,
19 3:00, and the 4:00?

20 MR. BLAIR: Yes.

21 [REDACTED] So you did this?

22 MR. BLAIR: Uh-huh.

23 [REDACTED] So the 11:00, the 1:00, the
24 3:00 would be done by Mr. - - ?

25 MR. BLAIR: Yes.

1 [REDACTED] And - - .

2 MR. BLAIR: Yes.

3 [REDACTED] - - .

4 [Crosstalk]

5 [REDACTED] So that's a question that we
6 have, in terms of entries made - - do you fill
7 out the next line?

8 MR. BLAIR: Yes - - yes.

9 [REDACTED] Okay. Let's go back - -
10 11:45, you see - - [REDACTED], and that is the
11 watch commander, is that correct?

12 MR. BLAIR: Yes.

13 [REDACTED] So at 11:45, what is he doing?

14 MR. BLAIR: He's making the rounds - - .

15 [REDACTED] And is he collecting the count
16 sheets?

17 MR. BLAIR: Yes.

18 [REDACTED] So at 11:45, he's collecting
19 the count sheets - - .

20 MR. BLAIR: Yes.

21 [REDACTED] And again - - Exhibit 3, and
22 this is a compilation. This is three count
23 sheets, and they're labeled 3A - - .

24 MR. BLAIR: - - these two - - this one - - .

25 [REDACTED] Okay. So this is--this--is

1 this - - ?

2 MR. BLAIR: - - .

3 [REDACTED] [REDACTED] - - copy of a report of count
4 at Clinton Correctional Facility - - June 6th - -
5 June 6th. And we have a 12:00 a.m., a 2:00 a.m.,
6 and a 4:00 a.m., is that correct?

7 MR. BLAIR: Yes.

8 [REDACTED] [REDACTED] So at that time, [REDACTED] [REDACTED],
9 when he showed up at 11:45, he would retrieve
10 these two sheets?

11 MR. BLAIR: - - .

12 [REDACTED] [REDACTED] And--

13 MALE VOICE: - - for the record - -
14 identified - - 12 o'clock.

15 [REDACTED] [REDACTED] In fact - - received the
16 11:00, the 12:00, the 1:00, the 2:00, and the
17 3:00, is that correct?

18 MR. BLAIR: Correct.

19 [REDACTED] [REDACTED] And so he received - - . And
20 do these--let's start with the 12 o'clock on
21 June 6th, 12:01 - - a.m. So we have--and is this
22 your signature?

23 MR. BLAIR: Yes.

24 [REDACTED] [REDACTED] Okay. And this is the report
25 of count. So we have the company - - in, 30,

1 out, 30.

2 MR. BLAIR: No - - .

3 [REDACTED] I'm sorry. But for Company -
4 - we have in, 30, and out, 30. Company - - has
5 the 29 in, 29 out. Do you know where that one
6 individual was?

7 MR. BLAIR: I don't remember if - - or if he
8 was - - .

9 [REDACTED] Okay. So this is the 12
10 o'clock count. And the 2 o'clock, we have
11 pretty much ditto, is that correct? It's pretty
12 much the same count? - - that's your signature
13 on the 2 o'clock count?

14 MR. BLAIR: It appears to be.

15 [REDACTED] And so these have been--if I
16 understand correctly, these have been filled out
17 at--when you first started your shift, so - - .

18 MR. BLAIR: - - .

19 [REDACTED] And with the assumption that
20 these individuals would be in their cells at
21 that time.

22 MR. BLAIR: Yes.

23 [REDACTED] And like you said, if need be,
24 you can call the watch commander and--

25 MR. BLAIR: [Interposing] - - yes - - .

1 [REDACTED] [REDACTED] Okay. So 11:00, 12:00,
2 1:00, 2:00, 3:00 are picked up by [REDACTED] [REDACTED] at
3 11:45.

4 MR. BLAIR: - - supervisor came around - - .

5 [REDACTED] [REDACTED] And is that, in fact - - ?
6 Does he - - count - - count - - does he look at
7 them? Does he - - .

8 MR. BLAIR: - - .

9 MALE VOICE: - - testified - - .

10 [REDACTED] [REDACTED] Well, you see him, right, when
11 he comes?

12 MR. BLAIR: Yeah, he just takes them.

13 [REDACTED] [REDACTED] He takes them, but does he
14 look at them, read them at all or?

15 MR. BLAIR: No, he just takes--he either
16 puts them in his pocket or - - puts them in his
17 pocket.

18 [REDACTED] [REDACTED] And he's clearly aware that
19 he's getting the counts until 3:00 in the
20 morning.

21 MR. BLAIR: I would guess - - .

22 [REDACTED] [REDACTED] Okay. So if we go on through
23 here, we see a 4 o'clock round.

24 MR. BLAIR: Yes, sir.

25 [REDACTED] [REDACTED] - - .

1 MR. BLAIR: Uh-huh.

2 [REDACTED] - - 6:30 - - .

3 MR. BLAIR: It looks like - - .

4 [REDACTED] I'm sorry. You think that's -
5 - ?

6 MR. BLAIR: I believe so.

7 [REDACTED] Deputy Superintendent--

8 MR. BLAIR: I don't remember anything of
9 that morning. After I count the bodies,
10 everything is - - .

11 [REDACTED] What does - - mean?

12 MR. BLAIR: Security. It could be - -
13 officer of the day - - .

14 MR. GOLDERMAN: Just for the record, if
15 you're asking questions and he doesn't really
16 remember who that person is - - .

17 [REDACTED] I understand. It's not your
18 handwriting. It's in the logbook that you
19 filled out - - .

20 MR. BLAIR: I - - deputy - - security.

21 [REDACTED] Okay. Did you see the deputy
22 of security there that morning?

23 MR. BLAIR: - - .

24 [REDACTED] Okay. The next entry, I'm not
25 really sure, it might say--if you can look at it

1 too? 6:40, 6:70, there's no such time as
2 6:70, so I'm assuming it's 6:40, but it's
3 somewhere in the 6 o'clock realm. - - is that
4 correct?

5 MR. BLAIR: Yes.

6 [REDACTED] Any idea what that might say?

7 MR. BLAIR: - - .

8 [REDACTED] But again, you're saying that
9 you don't know who filled out that--

10 MR. BLAIR: [Interposing] No.

11 [REDACTED] Okay. On the next - - the
12 last entry, is this your handwriting?

13 MR. BLAIR: Yes, it is.

14 [REDACTED] And it says - - . Can you
15 read what it says there?

16 MR. BLAIR: - - .

17 [REDACTED] Okay. So sequentially, these
18 two entries - - .

19 MR. BLAIR: Yes - - after I'm done - - I
20 didn't even look at the logbook because I was
21 trying to - - . I came back down. People were
22 coming into the block - - and then I had my - -
23 and I'm trying to keep track - - . At that
24 point, people are climbing over everybody. At
25 the last moment, I - - .

1 [REDACTED] Do you know if your second
2 man, [REDACTED], did he also fill out a report
3 of count sheets for this time period?

4 MR. BLAIR: He would have done - - .

5 [REDACTED] So there's a--this is the
6 12:00, 2:00, and 4:00. There's an 11:00, 1:00,
7 3:00--

8 MR. BLAIR: [Interposing] Count - - 11:00--

9 [REDACTED] I'm sorry.

10 MR. BLAIR: - - .

11 [REDACTED] Okay. There is a 1:00, 3:00,
12 5:00.

13 MR. BLAIR: Yeah - - .

14 [REDACTED] Okay.

15 [Crosstalk]

16 MR. BLAIR: Yes.

17 [REDACTED] We're going off the record for
18 a moment. It is 5:20.

19 [OFF THE RECORD]

20 [ON THE RECORD]

21 [REDACTED] So it is - - and you're still
22 under oath.

23 MR. BLAIR: Yes, sir.

24 [REDACTED] So we were looking at the--

25 Exhibit Number 2, which was the reproduction of

1 the A Block log, and we were talking about
2 these entries. Now, these entries, are they
3 made--are they contemporaneous? Were they made
4 when you do the rounds, or when your partner
5 does the rounds?

6 MR. BLAIR: - - ten minutes before, ten
7 minutes after.

8 [REDACTED] Okay.

9 MR. BLAIR: - - .

10 [REDACTED] So on the count sheets, these
11 are filled out at or around the time that you're
12 actually doing the rounds--

13 MR. BLAIR: [Interposing] Yes.

14 [REDACTED] And why would--if you pre-fill
15 the count sheets, why would you not pre-fill the
16 rounds book?

17 MR. BLAIR: Because something might happen
18 during the night, where I've got to log it in
19 before - - .

20 [REDACTED] Wouldn't that be the same
21 thing as the count sheets?

22 MR. BLAIR: The count sheets - - the
23 logbook.

24 [REDACTED] Okay. Okay.

25 MR. BLAIR: That's why, you know, I have

1 this entry at the very end - - you can't
2 change that.

3 [REDACTED] [REDACTED] You can't, okay. The rounds
4 under the watch commander or the supervisor, I
5 assume he comes around before--sometime during
6 the night, and collects all counts until 3:00
7 a.m. Why 3:00 a.m.? Has it ever been at other
8 times?

9 MR. BLAIR: That's the way it's always been.

10 [REDACTED] [REDACTED] And never 4:00 a.m. or 5:00
11 a.m.?

12 MR. BLAIR: - - .

13 [REDACTED] [REDACTED] As far as you know, it's
14 always 3:00 a.m.

15 MR. BLAIR: It's always been that way - - .

16 [REDACTED] [REDACTED] I can't see the rhyme or
17 reason. Is there anything missing? Did
18 anything occur around 3:00 p.m.--3:00 a.m.?

19 MR. BLAIR: No. Well, yeah, I think that's
20 halfway to - - I don't know, basically. I
21 couldn't tell you. That's the way it's always
22 been.

23 [REDACTED] [REDACTED] Okay.

24 MR. BLAIR: They still have to come back at
25 5:30. Someone comes back at 5:30 for the final

1 count.

2 [REDACTED] [REDACTED] Somebody comes at roughly ten
3 of 5:00, quarter to 5:00, and picks up the - - .

4 MR. BLAIR: They pick up the - - no. It is
5 - - they could come--that that person could pick
6 up all the sheets. - - the completion - - .

7 [REDACTED] [REDACTED] But that's been the practice.
8 They've never come again and pick up the sheets,
9 in the entire - - .

10 MR. BLAIR: Not that I know of.

11 [REDACTED] [REDACTED] Okay.

12 [Crosstalk]

13 [REDACTED] [REDACTED] It's always been two pick-ups.
14 There's been one, where they pick up, up to 3:00
15 a.m., and then there's a second, where they pick
16 up, up to 5:30.

17 MR. BLAIR: Yes, sir.

18 [REDACTED] [REDACTED] Okay.

19 [REDACTED] [REDACTED] So now this is the Exhibit 3
20 that we showed you earlier. This is the report
21 of counts for the night, morning of June 6th,
22 2015. And so you had filled these out and you
23 had signed these, is that correct--

24 MR. BLAIR: [Interposing] Yes.

25 [REDACTED] [REDACTED] And so let me show you the

1 second - - 4, Number 4.

2 MR. BLAIR: Uh-huh.

3 [REDACTED] - - exhibit - - .

4 [REDACTED] Exhibit - - .

5 [REDACTED] That was 3.

6 [REDACTED] Oh, it is, okay.

7 [REDACTED] Yes - - right?

8 [REDACTED] - - .

9 [REDACTED] - - .

10 [REDACTED] Oh, yes - - I'm sorry.

11 [REDACTED] - - and this is - -

12 reproduction - - reproduction of the report of
13 count, produced 6/20/15, for A Block.

14 MR. BLAIR: - - .

15 [REDACTED] Okay. Now--I'm sorry?

16 MALE VOICE: - - .

17 [Crosstalk]

18 [REDACTED] So now we have slightly larger
19 in size, in a different color. I know you - -
20 have a different color. But is there any
21 reason?

22 MR. BLAIR: And again - - the way to - - .

23 [REDACTED] But when you come in, in the
24 morning--when you come in the evening before,
25 the night before, and you are pre-filling out

1 these report of counts, there are two - - ? I
2 mean, why are some smaller in one color, and
3 larger in another color?

4 MR. BLAIR: That's the way they want them.
5 That's the way they - - .

6 ██████████ Okay.

7 MR. BLAIR: Because they are different
8 formats - - it's still the same count.

9 ██████████ Sure. Is this a - - but a
10 different pile to choose from, as opposed to--

11 MR. BLAIR: [Interposing] - - .

12 ██████████ Right, but, I mean, is he
13 drawing them from a different pile? Why are
14 they a different color and size?

15 MR. BLAIR: That's the way - - .

16 ██████████ Okay. Okay.

17 MR. BLAIR: Some are pink, some are green,
18 some are yellow.

19 ██████████ Okay.

20 MR. BLAIR: Because I think - - .

21 [Crosstalk]

22 ██████████ You're not - - with the same
23 color as him, are you? Is there any regulation
24 that says you can't have all of the same color
25 or the same size?

1 MR. BLAIR: Not that I'm aware of, no.
2 Usually, that's whatever paper they have in the
3 printer on that day. Sometimes, these things
4 are pink. Sometimes, they're yellow.
5 Sometimes, they're green. And I think
6 sometimes, they're blue. These here are
7 generally green. Sometimes, these are blue - -
8 they're sometimes green, sometimes, blue. It's
9 - - .

10 [REDACTED] But these two things represent
11 the same kind of count.

12 MR. BLAIR: Yes.

13 [REDACTED] There's nothing different,
14 except these were done by Mr. - - and these were
15 done by you.

16 MR. BLAIR: Yes.

17 [REDACTED] - - these are done - - Exhibit
18 4, and these are done by you - - Exhibit 3. So
19 going back to Exhibit 4, report of count, signed
20 by - - [REDACTED] - - one through six - -
21 except for Number 3, which has 29. It's pretty
22 consistent.

23 MR. BLAIR: Yes.

24 [REDACTED] Who has filled this form out?

25 MR. BLAIR: I usually fill it out.

1 Sometimes--generally, I fill it out.

2 Sometimes, he'll do it himself, but he checks it
3 before he signs it.

4 [REDACTED] Okay. And also, this is done
5 at the beginning of the night.

6 MR. BLAIR: Usually, yes.

7 [REDACTED] Okay. So like, around 11
8 o'clock. And then you give them to [REDACTED]
9 [phonetic] at a later time, and he signs them.

10 MR. BLAIR: Yes.

11 [REDACTED] Okay. And again, this would
12 be for the--well, this one--can you read that?

13 MR. BLAIR: 5:00.

14 [REDACTED] Five o'clock. And this one is
15 1:00 and 3:00?

16 MR. BLAIR: Yes, sir.

17 [REDACTED] So you - - the count on this
18 one sheet?

19 MR. BLAIR: Yes.

20 [REDACTED] And is it the standard
21 practice to do that?

22 MR. BLAIR: Yes, you can put up to three
23 counts on - - .

24 [REDACTED] Okay. And so by 11 o'clock,
25 these were filled out, or somewhere around

1 there, 11 o'clock, the night before, you had
2 filled these out.

3 MR. BLAIR: Yes.

4 [REDACTED] And [REDACTED] later on,
5 signed them.

6 MR. BLAIR: He signs them at the beginning -
7 - .

8 [REDACTED] When did he submit this 5:30?

9 MR. BLAIR: That's 5 o'clock.

10 [REDACTED] Oh, it's 5 o'clock. Five
11 o'clock - - .

12 MR. BLAIR: 5:30 - - .

13 [REDACTED] Okay. So these are picked up-
14 -when are--after the 3 o'clock, so we have this-
15 -you're 4 o'clock.

16 MR. BLAIR: Yes.

17 [REDACTED] But now your 4 o'clock, and
18 your--and his 5 o'clock, when are they retrieved
19 by--

20 MR. BLAIR: [Interposing] - - 5:30.

21 [REDACTED] Okay. Do you know which
22 supervisor - - .

23 MR. BLAIR: Usually - - comes up to the jail
24 in the morning, and he unlocks the corridor gate
25 - - he usually picks them up when he comes

1 around. He usually gets to our block, a
2 quarter of, ten of 5:00.

3 [REDACTED] [REDACTED] Okay. Now, does he appear in
4 the logbook?

5 MR. BLAIR: No, he doesn't sign the logbook.

6 [REDACTED] [REDACTED] And why is that?

7 MR. BLAIR: - - .

8 [REDACTED] [REDACTED] - - when [REDACTED] [REDACTED] stops by
9 at 11:45, he signs--

10 MR. BLAIR: [Interposing] He's the
11 supervisor.

12 [REDACTED] [REDACTED] Okay. - - and then he signs
13 next to the - - .

14 MR. BLAIR: Yes.

15 [REDACTED] [REDACTED] So whatever blocks you've
16 worked on, or the companies you've worked on,
17 when the officers come by, they don't sign.

18 MR. BLAIR: No, not to my knowledge.

19 [REDACTED] [REDACTED] Okay.

20 MALE VOICE: Just so I'm clear on the
21 record, when the rounds-man come at ten to 5:00,
22 usually around that time, he's picking up the 5
23 o'clock count and the 5:30 count.

24 MR. BLAIR: 4:00, 5:00, and 5:30.

25 MALE VOICE: And just to be clear, the 5:00

1 and 5:30, the actual walking of the rounds was
2 not completed yet. It has not actually been
3 done--

4 MR. BLAIR: [Interposing] Yes.

5 MALE VOICE: The 5:30 wouldn't be done.

6 MR. BLAIR: Yes - - .

7 MALE VOICE: Okay. And that leads into the
8 question of, you know, on Exhibit 3, your
9 signature says that you certified the count to
10 be correct. One of them, for instance, would be
11 the 2 o'clock count.

12 MR. BLAIR: Uh-huh.

13 MALE VOICE: Then the 12 o'clock count. But
14 is it fair to say that these couldn't have
15 possibly--when you signed those and you
16 certified that these counts were done at 12
17 o'clock, and 2 o'clock, and 4 o'clock, they
18 weren't actually done at that time, because you
19 had already signed those at 11:00 something.

20 MR. BLAIR: Yes.

21 MALE VOICE: Okay. So when you're
22 certifying that--you understood that you were
23 certifying - - correct, right?

24 MR. BLAIR: Yes, at that time, yeah.

25 MALE VOICE: But that you could go back and

1 change that, if something happened during the
2 course of the night.

3 MR. BLAIR: Yes, sir.

4 MALE VOICE: Okay.

5 [REDACTED] [REDACTED] Has there ever been an
6 occasion when the rounds-man, or the supervisor,
7 or the watchman to stop by, you know, between
8 the start of shift and before the 3:00 a.m.
9 point, and picked up all of those, everything,
10 all that until 5:30?

11 MR. BLAIR: Not that I can remember, no.

12 [REDACTED] [REDACTED] Okay.

13 MR. BLAIR: It's always been picked up in
14 two different rounds.

15 [REDACTED] [REDACTED] Yeah. I just can't see the
16 rationale for that. I don't see why it's being-
17 -

18 MR. BLAIR: [Interposing] - - kind of
19 understand, because you don't have the manpower
20 to come around every hour to pick them up. So
21 they've got to be picked up - - can't come back.
22 He's got other things he has to be doing.

23 [REDACTED] [REDACTED] Sure. But if you're going to
24 complete all of the records when you first get
25 there, at the nighttime, why not just hand - -

1 all of the records - - the guys - - 5:30 - - .

2 MR. BLAIR: It's a different guy.

3 [REDACTED] Sure, but I just don't - - .

4 MR. BLAIR: - - always - - .

5 [REDACTED] It just seems so strange. [REDACTED]

6 [REDACTED] rounds were at 1:00, 3:00, and 5:00.

7 Do you observe him making the rounds when he's
8 making the rounds?

9 MR. BLAIR: Most of the time, yes, we follow
10 each other, but that's mostly every time, but,
11 no, you know, I get sidetracked. I could be in
12 the bathroom. I could be on the phone - - going
13 on, you know - - .

14 [REDACTED] On some occasions, you follow
15 him while he makes the rounds? You follow--

16 MR. BLAIR: [Interposing] - - accompany him.
17 He goes by himself and I stay on the end of the
18 company.

19 [REDACTED] Do you ever stay up on, say,
20 the Third Tier, up on A6, while he's doing
21 rounds down on 1 through 4?

22 MR. BLAIR: - - no.

23 [REDACTED] No. So you - - follow him or
24 you'll stay at the end of the company and watch
25 him walk down?

1 MR. BLAIR: We're usually on the same
2 tiers, that we're on, and we can hear each other
3 - - to the bathroom. That's the only time, if
4 I've got to use the bathroom. That's the only
5 time - - .

6 [REDACTED] And at that point, you said
7 that - - .

8 MR. BLAIR: Yes.

9 [REDACTED] Where did you learn that?

10 MR. BLAIR: I believe that's part of - - .

11 [REDACTED] And do you recall when that
12 directive was issued?

13 MR. BLAIR: I can't even remember the last -
14 - .

15 [REDACTED] Okay.

16 MR. BLAIR: That's how long ago it was. I'm
17 going by things that we've always done.

18 [REDACTED] Okay.

19 [REDACTED] Have you ever observed another
20 C.O. sleeping on the job?

21 MR. BLAIR: No.

22 [REDACTED] - - .

23 MR. BLAIR: No.

24 [REDACTED] Never?

25 MR. BLAIR: No.

1 [REDACTED] Have you ever seen - - be up
2 on the desk?

3 MR. BLAIR: - - reading a book - - we're
4 still paying attention to what's going on - - .

5 [REDACTED] And you have never slept on--

6 MR. BLAIR: [Interposing] No.

7 [REDACTED] During your shift?

8 MR. BLAIR: No.

9 [REDACTED] Have you ever - - cot, or any
10 other kind of sleeping bag, or sleeping
11 mattress--

12 MR. BLAIR: [Interposing] No.

13 [REDACTED] --or anything that would
14 resemble a sleeping mattress--

15 MR. BLAIR: No.

16 [REDACTED] - - .

17 MR. BLAIR: No.

18 [REDACTED] Have you ever heard any C.O.
19 talking about sleeping on something that--

20 MR. BLAIR: [Interposing] No.

21 [REDACTED] Have you ever not made your
22 rounds and - - in the book, that you made your
23 rounds - - ?

24 MR. BLAIR: No - - .

25 [REDACTED] Have you ever known [REDACTED]

1 ██████████ not to make the rounds and have it
2 recorded in the book--

3 MR. BLAIR: [Interposing] No - - .

4 ██████████ ██████████ - - have relation in A Block
5 for the C.O.'s--

6 [Crosstalk]

7 MR. GOLDERMAN: Repeat that question.

8 ██████████ ██████████ Are there--

9 MR. BLAIR: [Interposing] - - at our office?

10 ██████████ ██████████ Oh, yeah.

11 MR. BLAIR: Yeah, of course - - .

12 ██████████ ██████████ Do you ever shut that off? I
13 mean - - and do you shut it off?

14 MR. BLAIR: Most times, it's on.

15 ██████████ ██████████ Oh, it's on.

16 MR. BLAIR: - - put the heater on, yeah, but
17 most times, like, when they had to put the heat
18 off, I was sitting there with my winter jacket
19 on. That's how cold it gets.

20 ██████████ ██████████ Okay. - - the windows - -
21 quite - - . Is there an ice machine on A Block?

22 MR. BLAIR: There used to be.

23 ██████████ ██████████ - - .

24 MR. BLAIR: The ice machine was at the front
25 of - - bottom deck, to the right of the catwalk.

1 [REDACTED] [REDACTED] So on the gallery, on the -
2 - .

3 MR. BLAIR: Yeah, it was just outside of the
4 office.

5 [REDACTED] [REDACTED] Just outside the office.

6 MR. BLAIR: Yeah.

7 [REDACTED] [REDACTED] What happened to it?

8 MR. BLAIR: I have no idea.

9 [REDACTED] [REDACTED] Do you know why it left?

10 MR. BLAIR: - - it wasn't in the block very
11 long, I know that.

12 [REDACTED] [REDACTED] Do you know why it was
13 removed?

14 MR. BLAIR: No.

15 [REDACTED] [REDACTED] - - .

16 MR. BLAIR: Yeah - - .

17 [REDACTED] [REDACTED] Do you know if it worked the
18 entire time it was there?

19 MR. BLAIR: Yeah, as far as I know. I
20 didn't really get into it - - see it in there.

21 [REDACTED] [REDACTED] Did you ever--did it appear
22 that somebody disabled it?

23 MR. BLAIR: No.

24 [REDACTED] [REDACTED] Did you ever - - .

25 MR. BLAIR: [Interposing] No.

1 [REDACTED] --part of - - .

2 MR. BLAIR: No.

3 [REDACTED] Did it ever stop functioning
4 when you were there?

5 MR. BLAIR: Yeah.

6 [REDACTED] It did.

7 MR. BLAIR: Yeah, that's why they took it
8 out.

9 [REDACTED] But you don't know the cause
10 of that?

11 MR. BLAIR: No.

12 [REDACTED] Was it disabled because it was
13 loud?

14 MR. BLAIR: I don't know.

15 [REDACTED] You don't know. Did you ever
16 hear anybody talking about that?

17 MR. BLAIR: No - - .

18 [REDACTED] Okay.

19 [REDACTED] Is there a - - to the - - ? Is
20 there any - - ?

21 MR. BLAIR: There was a - - at the end.

22 [REDACTED] - - .

23 MR. BLAIR: No, at one time, the use of - -
24 and I think now, they're all - - I think now,
25 it's all computerized - - that's exchanged - -

1 in the block, and I think that's - - power and
2 you've got no control over that - - control over
3 it and - - .

4 [REDACTED] [REDACTED] Was there a time when you did
5 have control over it?

6 MR. BLAIR: I believe there was. I never -
7 - thermostats. I think the thermostats are
8 still there, but - - they work or not. I have
9 never - - .

10 [REDACTED] [REDACTED] On the night in question, you
11 are certain that you made the rounds - - .

12 MR. BLAIR: [Interposing] Yes.

13 [REDACTED] [REDACTED] - - .

14 MR. BLAIR: Yes.

15 [REDACTED] [REDACTED] And are you certain that [REDACTED]
16 [REDACTED] made the rounds--

17 MR. BLAIR: [Interposing] Yes.

18 [REDACTED] [REDACTED] Absolutely certain?

19 MR. BLAIR: Yes.

20 [REDACTED] [REDACTED] Okay.

21 [REDACTED] [REDACTED] And the rounds - - so are you
22 assuming that they were in the cells prior to -
23 - ?

24 MR. BLAIR: Yes - - and I thought that they
25 were in their cells. I thought they were in

1 line. I mean, if I wouldn't have thought
2 that, I wouldn't have - - the 5:30 - - call - -
3 . I honestly thought that they were in their
4 cells.

5 [REDACTED] Describe what happened at the
6 moment - - was [REDACTED] who first noticed--

7 MR. BLAIR: [Interposing] - - .

8 [REDACTED] Describe what happened from
9 that moment, going forward.

10 MR. BLAIR: I came up the back - - coming
11 down. Two cells - - the 23 Cell - - cells, and
12 I don't know - - that cell - - . I grabbed the
13 sheet and I almost - - when I saw - - . I
14 started off - - on the 22 Cell. I did the same
15 thing - - down the stairs.

16 [REDACTED] You were - - where?

17 MR. BLAIR: - - .

18 [REDACTED] [REDACTED] .

19 MR. BLAIR: - - I know these guys were in
20 their cells.

21 [REDACTED] What time was it? I see on
22 this note right here, it says, I believe it - -
23 5:15.

24 MR. BLAIR: Approximately, 5:15, yes.

25 [REDACTED] So when are you making that

1 entry?

2 MR. BLAIR: - - to tell you the truth, I
3 couldn't tell you what time in the morning it
4 was - - everything that was going on in the
5 block. I couldn't tell you an exact time - - I
6 put it in, and I put it in--

7 [REDACTED] [REDACTED] [Interposing] I mean, did you
8 come back an hour later or--

9 MR. BLAIR: [Interposing] No, I never left
10 the block.

11 [REDACTED] [REDACTED] No, I mean, after you
12 witnessed the two cells are empty - - and you
13 run to get [REDACTED] [REDACTED], is it then that you
14 make the entry, or an hour later, or?

15 MR. GOLDBERMAN: - - other people came - -
16 and then he clarified - - entry - - .

17 [REDACTED] [REDACTED] So would it be after 6:40
18 then, that you made the entry?

19 MR. BLAIR: I would assume so. That's when
20 they were there. It's all chronological order
21 except for that time that I put in. That's
22 about the time that I found the inmate.

23 [REDACTED] [REDACTED] Okay. And how do you know
24 that's about the time that you found the inmate?

25 MR. BLAIR: It's approximately--we start our

1 count at the same time every morning.

2 Approximately 15, 20 after, we start--

3 [REDACTED] [REDACTED] [Interposing] Okay.

4 MR. BLAIR: It could have been later.

5 [REDACTED] [REDACTED] Okay. So that's how - - rough
6 estimate of when you think you - - .

7 MR. BLAIR: - - .

8 [REDACTED] [REDACTED] And approximately - - 15
9 minutes? Or what would be a good estimate for -
10 - approximate it is?

11 MR. BLAIR: - - 10, 15 minutes - - .

12 [REDACTED] [REDACTED] So you - - to [REDACTED] [REDACTED],
13 and you tell him. What happens next?

14 MR. BLAIR: I called the lieutenant - - .

15 [REDACTED] [REDACTED] The lieutenant being?

16 MR. BLAIR: The watch commander.

17 [REDACTED] [REDACTED] And this is [REDACTED] [REDACTED].

18 MR. BLAIR: Yes.

19 [REDACTED] [REDACTED] Okay.

20 MR. BLAIR: And so - - we went back
21 upstairs. Me and Officer [REDACTED] went back
22 upstairs. I went down the company. I believe
23 Officer Renadatt - - I wanted to make sure.
24 Then I came back out.

25 [REDACTED] [REDACTED] - - did you find any evidence

1 of a - - at that point?

2 MR. BLAIR: No, I wasn't even--

3 [REDACTED] [Interposing] So you - - for
4 the first time--

5 MR. BLAIR: - - and I was hoping - - they
6 were - - and then the same thing on the 22 Cell
7 - - I came back up the company, and then I went
8 downstairs to the office. And after that - - .
9 That's - - .

10 [REDACTED] Do you know if the facility--
11 did an alarm go off or--

12 MR. BLAIR: [Interposing] I don't know how
13 it was handled - - . I really can't tell you.

14 [REDACTED] Did the facility itself - -
15 hear an alarm that went off for the entire
16 facility?

17 MR. BLAIR: I couldn't tell you. I was - -
18 I couldn't tell you.

19 [REDACTED] Okay.

20 MR. BLAIR: - - I said - - I don't know.

21 [REDACTED] Did you stay at the facility -
22 - ?

23 MR. BLAIR: I stayed - - .

24 [REDACTED] For how long?

25 MR. BLAIR: Until - - to go up front - - and

1 I can't even tell you - - .

2 [REDACTED] [REDACTED] It was still the morning then?
3 Or was it--

4 MR. BLAIR: [Interposing] I would say most
5 of the morning. I can't tell you - - .

6 [REDACTED] [REDACTED] Do you recall like - - or
7 sirens ever - - ? You just don't know, okay.

8 MR. BLAIR: - - I didn't sleep for two
9 weeks.

10 [REDACTED] [REDACTED] I understand.

11 MR. BLAIR: Solid. I was trying to - - and
12 I think - - hurt me more than help me.

13 MALE VOICE: - - human, natural tendency.
14 And once you filled out these forms at 11:00 in
15 the morning--or 11:00 at night, that the count
16 was accurate - - naturally - - that--you've
17 already got the count listed - - already signed
18 it. There's no reason to go and do the walk, do
19 the rounds.

20 MR. BLAIR: - - didn't know - - if the guy
21 was in his cell - - I don't know. I've been
22 running it through my head six ways to Sunday.

23 MALE VOICE: But maybe the rounds were done
24 too quickly - - ?

25 MR. BLAIR: They could have been. - - they

1 could have been. I don't know. I've been
2 trying to rationalize this whole thing and I
3 can't. I can't rationalize it.

4 MALE VOICE: It's fair to say, no other
5 inmates had escaped previous to this.

6 MR. BLAIR: Yes.

7 MALE VOICE: So is it fair to say that there
8 could be a tendency to be a little lax about - -
9 the cells at 11:00--they're in the cells. Do
10 you have them stand up and look at you or sit up
11 at 11:00 - - ?

12 MR. BLAIR: - - make our first round - -
13 laying down - - .

14 MALE VOICE: As long as you see movement.

15 MR. BLAIR: Yeah, exactly.

16 MALE VOICE: And then you've been doing this
17 for 13 years and no one has ever not been in
18 their cell.

19 MR. BLAIR: Exactly.

20 MALE VOICE: But doesn't it - - that it's
21 possible that with that familiarity that you've
22 had over 13 years, that it's possible that as
23 you went through your rounds, that you could
24 have been a little bit too lax in checking for
25 the cells - - actual human movement in there?

1 MR. BLAIR: That is possible. I'm not
2 going to rule that out. I've even thought of
3 it. Believe me, I've been trying to go through
4 this whole thing - - going through it slowly.
5 Did I - - long enough? Did I look at them long
6 enough? You know.

7 MALE VOICE: And you don't know, as you sit
8 here today, when they actually - - cells.

9 MR. BLAIR: I can't actually tell you, no.

10 MALE VOICE: It could have been right after
11 the final count at 11:00?

12 MR. BLAIR: It could have been, yes, sir.

13 ██████████ Did you ever see anything
14 that was alarming to you - - between - - that
15 made you go to 23 right after you--or - - after
16 you checked 23?

17 MR. BLAIR: No, I don't know why I stopped.
18 I really don't. - - the company, and I just
19 looked in, and I stopped. I can't even tell you
20 that. I didn't know there was a connection
21 between the two. I didn't know they worked
22 together. I didn't know.

23 ██████████ Is it correct that he
24 checked 22, and he didn't check any more--

25 MR. BLAIR: [Interposing] - - I've seen - -

1 I - - I just, I did.

2 [REDACTED] [REDACTED] And did you have a
3 flashlight with you when you did rounds on the
4 5th?

5 MR. BLAIR: - - .

6 [REDACTED] [REDACTED] Okay.

7 [REDACTED] [REDACTED] And those were the only two
8 cells that didn't have the - - that you - - .

9 MR. BLAIR: There were other cells during my
10 rounds in the morning, that didn't have - - .

11 [REDACTED] [REDACTED] - - .

12 MR. BLAIR: - - they turn them on - - .

13 [REDACTED] [REDACTED] Okay.

14 MR. BLAIR: Sometimes, the lights aren't
15 working and the inmate is sitting - - saying, my
16 lights don't work - - .

17 [REDACTED] [REDACTED] So that's not unusual, just the
18 light - - is not unusual - - forces you to slow
19 down and say--

20 MR. BLAIR: [Interposing] Yes.

21 [REDACTED] [REDACTED] - - .

22 MR. BLAIR: Yes, most of the times,
23 generally, we try to get the - - sometimes, it
24 takes a couple of - - to get - - .

25 [REDACTED] [REDACTED] Sure.

1 [REDACTED] - - .

2 MR. BLAIR: - - . He's usually sitting by
3 the - - .

4 [REDACTED] These are - - from your - - .

5 MALE VOICE: Can we go off the record for a
6 second?

7 [REDACTED] Sure.

8 [REDACTED] I'm pausing this recording.
9 It is - - .

10 [OFF THE RECORD]

11 [ON THE RECORD]

12 [REDACTED] - - continuing your testimony
13 - - .

14 MR. BLAIR: Yes, sir.

15 [REDACTED] Okay. - - where we left off.
16 Have you ever [REDACTED] [REDACTED] [REDACTED] for
17 - - ?

18 MR. BLAIR: Yes.

19 [REDACTED] On how many occasions?

20 MR. BLAIR: - - .

21 [REDACTED] - - . The first occasion - -
22 ?

23 MR. BLAIR: The first one, [REDACTED]
24 [REDACTED] watching TV on duty.

25 MALE VOICE: - - .

1 [Crosstalk]
2 [REDACTED] [REDACTED] - - .
3 MALE VOICE: Excuse me, [REDACTED]--
4 [REDACTED] [REDACTED] [Interposing] Oh - - . [REDACTED]
5 [REDACTED] [REDACTED] back in 1998 for something?
6 MR. BLAIR: Yes.
7 [REDACTED] [REDACTED] And what was that?
8 MR. BLAIR: [REDACTED] [REDACTED] [REDACTED] watching TV.
9 [REDACTED] [REDACTED] Okay. And what became of
10 that?
11 MR. BLAIR: I was [REDACTED] and - - .
12 MALE VOICE: They said that you--you just
13 stated that they said you were watching TV.
14 Were you watching TV while on duty?
15 MR. BLAIR: No, I was doing my paperwork. I
16 was in the back of the - - doing paperwork. The
17 TV was on. There was - - and a bunch of people
18 came in behind me, supervisors, and I was doing
19 my work - - . It - - I guess.
20 MALE VOICE: Okay.
21 [REDACTED] [REDACTED] In your 32 years with the DOC,
22 [REDACTED] the only other time [REDACTED] [REDACTED] [REDACTED]
23 [REDACTED] [REDACTED] in relation to the 2001 matter?
24 MR. BLAIR: Yes.
25 [REDACTED] [REDACTED] Okay.

1 MR. BLAIR: - - . Yes.

2 [REDACTED] [REDACTED] Can you describe what happened
3 in the 2001 matter?

4 MR. BLAIR: - - I believe, 2001. I'm sorry,
5 I don't know - - time - - . I was first officer
6 - - .

7 [REDACTED] [REDACTED] - - .

8 MR. BLAIR: Huh?

9 [REDACTED] [REDACTED] Do you recall - - ?

10 MR. BLAIR: - - . Back then - - first round
11 - - and we have - - a live count and - - I made
12 the rounds. I got - - live count - - two live
13 counts. The guy counted them in - - the live
14 count - - . That's why, to this day, nobody
15 takes a count - - except for me.

16 [REDACTED] [REDACTED] Okay. So in this situation,
17 you were the first man, but the second man - -
18 live count.

19 MR. BLAIR: There isn't - - 11 o'clock live
20 count. The counts start - - .

21 [REDACTED] [REDACTED] Okay.

22 MR. BLAIR: We would make the count at
23 11:00, for our own reference.

24 [REDACTED] [REDACTED] Okay.

25 MR. BLAIR: - - .

11 ■ ■ ■ Does that accurately reflect--

12 MR. BLAIR: [Interposing] Yes.

13 ■ ■ ■ --what occurred? On the
14 12:00, the 2:00, and the 4:00 a.m. - - count - -
15 were directed by - - .

16 MR. BLAIR: - - I believe - - cell, with a
17 flashlight.

18 ■ ■ ■ And so the - - was some period
19 of ■ ■ ■ ?

20 MR. BLAIR: Yes - - .

21 ■ ■ ■ And - - .

22 MR. BLAIR: And - - .

23 ■ ■ ■ - - .

24 MALE VOICE: And it's your recollection that
25 Inmate ■ ■ ■ had put a dummy in his cell?

1 MR. BLAIR: Yes.

2 MALE VOICE: And that he had gone into
3 someone else's cell for both counts - - .

4 MR. BLAIR: Yes, sir.

5 [REDACTED] [REDACTED] And is it your recollection
6 that - - actually made these rounds?

7 MR. BLAIR: Yes.

8 [REDACTED] [REDACTED] Okay.

9 MR. GOLDERMAN: - - questions - - . He did
10 - - [REDACTED] [REDACTED] period. But will
11 you ask him the question again, so it's clear
12 for the record, of what changes he made to--

13 [REDACTED] [REDACTED] [Interposing] - - did you
14 change your practice?

15 MR. BLAIR: I changed my practice - - . I
16 make the first round at 11 o'clock. Everybody -
17 - also - - I know they're in their cell.
18 There's no question about it. I'm not required
19 to do that. It's something that I personally do
20 - - when I make my first round - - .

21 [REDACTED] [REDACTED] When you arrive, you do the
22 first round--

23 MR. BLAIR: [Interposing] Yes - - exception
24 - - you've got - - I make the first round.

25 [REDACTED] [REDACTED] You make sure they're all

1 present and they are alive.

2 MR. BLAIR: Oh, yes.

3 [REDACTED] [REDACTED] And how do you make sure
4 they're alive?

5 MR. BLAIR: - - wake them up. At 11
6 o'clock, I wake everybody up - - .

7 MALE VOICE: But back in 2001, Mr. [REDACTED]
8 had a dummy in his cell, and you - - checked for
9 - - .

10 MR. BLAIR: I - - obviously, I didn't take
11 enough precaution.

12 MALE VOICE: And the next - - or I guess,
13 did there come a point when you realized there
14 was a dummy in his cell?

15 MR. BLAIR: Yeah - - .

16 MALE VOICE: And what happened?

17 MR. BLAIR: I got called back in because
18 they said he had a dummy in his cell. - - made
19 a live count and - - he was - - to the dummy.
20 Now, you know why I do what I do. I don't trust
21 nobody.

22 MALE VOICE: And by doing the count at
23 11:00, what - - don't have to rely on somebody
24 else. You do the count, yourself - - .

25 MR. BLAIR: Yes.

1 MALE VOICE: For clarity on the record.

2 MR. BLAIR: Yes.

3 MALE VOICE: Because of this incident.

4 MR. BLAIR: I know they're alive and they
5 are in their cell. That's why I've been - -
6 through this whole thing - - going right out the
7 - - .

8 MALE VOICE: And I think this is the final
9 question - - . At the end, when you--at the end
10 of that morning, after the--you provided a
11 statement - - .

12 MR. BLAIR: Yes, sir.

13 MALE VOICE: Was there any reason that you--
14 what was the reason, why you refused to sign?

15 MR. BLAIR: I didn't refuse to sign.

16 MALE VOICE: What happened?

17 MR. BLAIR: I asked her to type it because I
18 couldn't read it all.

19 MALE VOICE: Okay.

20 MR. BLAIR: And after I read it, and I
21 couldn't tell you - - if I can't read it, I
22 can't tell you that's the actual, factual - - .

23 [REDACTED] Whose handwriting was - - ?

24 MR. BLAIR: The female. I don't know her
25 name.

1 MALE VOICE: Female - - .

2 MR. BLAIR: I asked her to type it up and
3 give it back to me, and I never received it.

4 MALE VOICE: Okay. But that was a female
5 investigator - - you recall?

6 MR. BLAIR: I believe it was.

7 MALE VOICE: Okay. And she handwrote the
8 account that you gave her?

9 MR. BLAIR: Yes.

10 MALE VOICE: And then she asked you to sign
11 it?

12 MR. BLAIR: I don't think she ever asked me
13 to sign it. She asked me to read it.

14 MALE VOICE: Okay.

15 MR. BLAIR: And I couldn't read half of it,
16 and I gave it back to her, and asked her if she
17 could type it and give it back to me.

18 MALE VOICE: Okay. And did you ever see the
19 typed copy?

20 MR. BLAIR: No.

21 MALE VOICE: Even to this day.

22 MR. BLAIR: No.

23 MALE VOICE: Okay.

24 [REDACTED] Two quick follow-ups. When
25 you had referenced - - that you had - - you were

1 on shift - - box - - .

2 MR. BLAIR: - - box.

3 [REDACTED] [REDACTED] Some kind of box that you

4 had, a box. No?

5 [REDACTED] [REDACTED] - - is there any kind of box

6 that - - .

7 MR. BLAIR: The [REDACTED] box.

8 [REDACTED] [REDACTED] Okay.

9 MR. BLAIR: That's where the [REDACTED] are kept

10 in.

11 [REDACTED] [REDACTED] Okay.

12 MR. BLAIR: - - .

13 [REDACTED] [REDACTED] A lockbox, okay. The [REDACTED]

14 box is the same as the lockbox, is that right?

15 MR. BLAIR: - - .

16 [REDACTED] [REDACTED] You use the word, [REDACTED] box

17 and lockbox interchangeably--

18 MR. BLAIR: [Interposing] Yes - - .

19 [REDACTED] [REDACTED] Okay.

20 MR. BLAIR: They're all - - [REDACTED] - - .

21 [REDACTED] [REDACTED] Okay. And who mans the

22 count desk? You know, what--you referenced the

23 count desk--

24 MR. BLAIR: [Interposing] Up front?

25 [REDACTED] [REDACTED] Yeah.

1 MR. BLAIR: Well, there's a lieutenant, a
2 sergeant, and an officer, maybe two officers. I
3 don't know - - .

4 [REDACTED] Okay. And is that officer
5 on shift or is - - doing the rounds as well? Or
6 is there--

7 MR. BLAIR: [Interposing] - - .

8 [Crosstalk]

9 MR. BLAIR: He usually stays at the desk.

10 [REDACTED] Okay.

11 MR. BLAIR: He's in-charge of running - -
12 the time - - so that's - - .

13 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
14 [REDACTED] [REDACTED] [REDACTED] [REDACTED] box or a lockbox - - .
15 Is there a log inside of that lockbox or next to
16 it?

17 MR. BLAIR: There used to be a [REDACTED] slip [REDACTED]
18 [REDACTED] log - - written out - - out of the box - - .

19 [REDACTED] Okay.

20 MR. BLAIR: I believe on my shift - - and I
21 believe on other shifts, some [REDACTED] might - -
22 come back - - .

23 [REDACTED] [REDACTED] - - call that - - logbook or
24 something like that - - . Do you know, on the
25 rare occasions that you were there, on shifts

1 when [REDACTED] is that - - ?

2 MR. BLAIR: In the lockbox.

3 [REDACTED] [REDACTED] Yeah.

4 MR. BLAIR: Yes.

5 [REDACTED] [REDACTED] And if somebody wanted--if a
6 C.O. wanted to use the [REDACTED] would he - - ?

7 MR. BLAIR: - - .

8 [REDACTED] [REDACTED] But are they required - - ?

9 MALE VOICE: - - .

10 MR. BLAIR: Yes, I mean, yes, I'm not sure.
11 I can't remember the last time - - the catwalk,
12 but--

13 [REDACTED] [REDACTED] [Interposing] Okay. Okay.

14 Well, thank you very much for your time. We do
15 appreciate it.

16 MR. BLAIR: - - .

17 [REDACTED] [REDACTED] It is 6:24 and this interview
18 is over.

19 [END RECORDING]

20

21

22

23

24

25

C E R T I F I C A T E

The prior proceedings were transcribed from audio files and have been transcribed to the best of my ability. I further certify that I am not connected by blood, marriage or employment with any of the parties herein nor interested directly or indirectly in the matter transcribed.

Signature

Date July 14, 2015